

Fax Cover Sheet

Page 1 of 4

To: Andrew Caldwell

Art Unit 2151

Fax: (703) 746-5507

From: Mark Farrell

Lee & Hayes PLLC

Voice Phone (509) 324-9256 ext 243

FAK (509) 323-8979

RE: Request Form for Examiner Interview Enclosed

PTOL-413A (08-03)  
Approved for use through 07/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

### Applicant Initiated Interview Request Form

Application No.: 09/326,163 First Named Applicant: CHARLES WU  
Examiner: ANDREW CALDWELL Art Unit: 2151 Status of Application: ACTIVE

#### Tentative Participants:

(1) ANDREW CALDWELL - EXAMINER (2) MARK FARRELL - ATTY FOR APPLICANT

(3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 3/22/04 Proposed Time: 1:30 <sup>OR 4:30 PM?</sup> (AM/PM) E. T.

#### Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

OR EXAMINER'S  
CHOICE OF  
DATE/TIME

Exhibit To Be Shown or Demonstrated: ☒ YES ☐ NO

If yes, provide brief description: AMENDED CLAIM 1 (PROPOSED)

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art HAWKINS+HARARI+	Discussed	Agreed	Not Agreed
(1) <u>REJ.</u>	<u>CLAIM 1</u>	<u>FORWARD+LOGICAL REAS.</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

#### Brief Description of Arguments to be Presented:

SEE PROPOSED AMENDED CLAIM 1 (ATTACHED). REFERENCES CITED BY  
EXAMINER ARE NOT DIRECTED TO THE PROBLEM OF OBJECT DELETION DURING  
SYNCHRONIZATION. DELETION IDEA MOVED FROM PREAMBLE TO BODY OF PROPOSED CLAIM 1.

An interview was conducted on the above-identified application on \_\_\_\_\_.

#### NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Mark C. Farrell - LEE & HAYES PLLC

(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Application # 09/326,163

Mark Farrell

Proposed Claim 1.

Lee & Hayes PLLC

(509) 324-9256 ext 243

This proposed claim 1 moves context of the subject matter, i.e., "preventing object deletion during synchronization processes that cause such deletion" from preamble to body. This should add clarity, if further clarity is needed.

Please note that the references cited as 103(a) prior art in the Office Actions address the idea of synchronization generally but not do not address the problem solved by Applicant's subject matter, namely the problem of object deletion during a type of synchronization that specifically deletes an object from a first device if a corresponding object is missing from a second device. In other words, the cited references appear to speak to a different context than Applicant's subject matter, they do not appear to relevantly apply to Applicant's subject matter.

1. (Currently Amended) ~~A method of synchronizing objects in a first device and a second device having a plurality of storage volumes, wherein the second device occasionally deletes objects stored in one or more of the plurality of storage volumes during synchronization when the first device cannot access the one or more storage volumes, the method comprising:~~

~~identifying one or more storage volumes of the plurality of storage volumes as currently accessible to a the first device, wherein the storage volumes store objects;~~

based on the identification of storage volumes currently accessible to the first device, identifying objects subject to deletion from a second device during a synchronization process between the first device and the second device in which the second device will delete an object stored on the second device if a corresponding object stored on the first device is in a storage volume that is inaccessible to the first device;

preventing deletion of the objects subject to deletion during the synchronization process; and

synchronizing only objects contained in the ~~one or more identified~~ storage volumes currently accessible to the first device.

Clean Version:

1. (Currently Amended) A method comprising:

identifying storage volumes currently accessible to a first device, wherein the storage volumes store objects;

based on the identification of storage volumes currently accessible to the first device, identifying objects subject to deletion from a second device during a synchronization process between the first device and the second device in which the second device will delete an object stored on the second device if a corresponding object stored on the first device is in a storage volume that is inaccessible to the first device;

preventing deletion of the objects subject to deletion during the synchronization process; and

synchronizing only objects contained in the storage volumes currently accessible to the first device.